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**Office of the New York State
Attorney General**

**Letitia James
Attorney General**

May 21, 2025

By ECF

Honorable Mary Kay Vyskocil
United States District Court
Southern District of New York
500 Pearl Street
New York, N.Y. 10007

Re: *Greater Chautauqua Fed. Credit Union v. Quattrone*, No. 22 Civ. 2753 (MKV) (BCM)

Dear Judge Vyskocil:

This Office represents Attorney General Letitia James, a defendant in her official capacity in this action. Pursuant to the Trial Scheduling Order dated April 2, 2025 (ECF No. 206), the bench trial of this action will begin on June 16, 2025, and will not exceed three days.

We write with the consent of all parties to respectfully request that the Court schedule the trial testimony of AG James's expert witness, Professor James A. Wilcox, on the morning of the third day of trial, June 18, 2025. All parties have submitted declarations comprising their proposed witnesses' direct testimony, as required by the Court's individual rules of practice governing bench trials. AG James anticipates that the first two days of trial will primarily consist of the cross-examination (and any redirect examination that the Court may permit) of Plaintiffs' chief executives Jennifer Heim, Janelle Zasucha, and Kelly Haaksma and, if permitted to testify over AG James's objections, Plaintiffs' designated experts John C. Tonetti and Todd J. Zywicki, and Jana Gibson of Venable LLP. *See* Pls.' Witness List, May 9, 2025 (ECF No. 236-2).

Professor Wilcox will be traveling from California for his testimony and any final preparation. We seek to finalize his schedule and make the most cost-effective arrangements for his travel and time by scheduling his testimony as soon as is feasible. To that end, we sought and obtained the agreement of counsel for Plaintiffs and the Sheriff Defendants to have Professor Wilcox appear for his cross-examination (and any redirect examination) on June 18, 2025, subject to the Court's approval. We recognize that if the Court grants AG James's pending *Daubert* motion, there may only limited need, if any, for testimony on the scheduled second day of trial, June 17, 2025. We respectfully submit that no party will be prejudiced thereby.

Accordingly, we request that the Court enter an order scheduling Professor Wilcox's testimony for June 18, 2025. A favorable ruling will greatly assist us in arranging Professor Wilcox's travel, trial preparation, and testimony.

Hon. Mary Kay Vyskocil
May 21, 2025

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We appreciate the Court's continued attention to this litigation.

Respectfully,

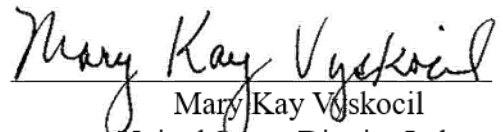
Michael A. Berg

Michael A. Berg
Assistant Attorney General

cc: All Counsel

Granted. SO ORDERED.

Date: 5/28/2025
New York, New York


Mary Kay Vyskocil
United States District Judge